Equality of Opportunity and Freedom from Discrimination

MHR Connections

Published by the Manitoba Human Rights Commission

Volume 10 Number 8 August 2010

Human Rights workshops available during 2010-2011

The Manitoba Human Rights Education Programs

September 2010 - June 2011

HUMAN RIGHTS ARE EVERYONE'S BUSINESS

Mental disabilities present unique challenges to employers and service providers. The Manitoba Human Rights Commission will be developing a new seminar to give practical advice about how to comply with legal obligations when dealing with these issues.

Accommodation of Employees with Mental Disabilities will be made available as part of the Commission's public education programs in 2011. The half day *Reasonable Accommodation* workshop is a prerequisite for this program.

According to Executive Director Dianna Scarth, in 2009 disability complaints once again represented the highest number of complaints filed (47 %).

"An important new trend has been the steady increase in complaints filed on the basis of mental disability issues. In the past 3 years, the average number of mental disability complaints has risen to between 25% and 28% of all disability complaints received during the year," she says.

The Commission now offers seven workshops regarding human rights in the workplace in Winnipeg. These include *Workplace Human Rights Complaint: Myth, Fears and Realities*, which were introduced last year, *Human Rights in the Workplace* and *Harassment in the Workplace. How to Investigate a Human Rights Complaint* has been extended to a two day workshop.

It is recommended that those interested in participating in these workshops apply early as registration fills quickly.

For details of these seminars, including times, costs and locations, please call 945-5112 or visit our website and click on workshops.

www.manitoba.ca/hrc

The Manitoba Human Rights Commission Congratulates the Community Education Association (CLEA) on Celebrating 35 years of service

THE MANITOBA HUMAN RIGHTS COMMISSION

LA COMMISSION DES DROITS DE LA PERSONNE DU MANITOBA

The Rights Connection
by Jerry Woods - Chairperson

Recent stories in the media have raised the issue of how decisions are made regarding the acceptance of people with intellectual disabilities into our communities. Human rights legislation requires such decisions be based on objective evidence and not on stereotypes, fears or personal preference. Canadian human rights law requires decision-makers like municipal governments to comply with principles of equality as defined by the Manitoba Human Rights Code, The Canadian Charter of Rights and Freedoms and the United Nations Convention on the Rights of Persons with Disabilities.

As well as enforcing The Code, the Commission also has the mandate of educating and promoting human rights. The Code protects the rights of those with mental or physical disabilities from unreasonable discrimination.

The Canadian Charter of Rights and Freedoms, enacted in 1982, includes a specific mention of physical or mental disability as a prohibited ground of discrimination. This marked the first time that such a right was guaranteed in the Constitution of a country. Section 15 of the Charter makes it illegal for governments in Canada to discriminate against persons with disabilities in their laws and programs.

Canada further recognized these rights on March 10, 2010, ratifying the United Nations Convention on the Rights of Person with disabilities.

Article 19 of the Convention specifically addresses the equal right of all persons with disabilities to live in the community, with choices equal to others. The convention also states that its purpose "is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities."

At that time, politicians were quoted as saying that "Canada is committed to promoting and protecting the rights of persons with disabilities and enabling their full participation in society" and "the ratification of this agreement acknowledges that Canada is a world leader in providing persons with disabilities the same opportunities in life as all Canadians."

Persons with disabilities, their families and friends celebrated, many believing that the Convention would open exciting new opportunities for building a more inclusive and accessible Canada. Decisions regarding people with disabilities should now be viewed through our commitment to this international agreement.

Disability advocate remembered

Ainley Bridgeman, advocate for equality and universal design, died suddenly on June 30, 2010 as the result of an accident.

Ms Bridgeman was instrumental in changes to Winnipeg intersections with pedestrian traffic signals. She and David Martin filed complaints with the Manitoba Human Rights Commission against the City of Winnipeg. The 2008 mediated settlement will result in all intersections with pedestrian traffic signals eventually having audible cues. These changes, which benefit people with disabilities when they are attempting to cross streets at controlled intersections, were applauded by both disability and human rights advocates.

At the time of the settlement Ms. Bridgman said "I am very pleased. This is a positive step forward and it will make a huge difference for people with disabilities."

The Commission recognizes the contributions of people like Ms Bridgeman who come forward with complaints such as these. "Individuals who file complaints put in a lot of time and effort and selflessly place the interest of others ahead of their own. The hard work of Ainley Bridgeman improved the lives of many other people," said Executive Director of the Commission Dianna Scarth.

Yvonne Peters Vice Chairperson of the Commission has her own thoughts when remembering the work of Ms Bridgeman. "People with disabilities living in Winnipeg owe a lot to the tenacity of Ainley Bridgeman. Every time I, as a blind person, stand at a street corner and hear the cue that tells me it is safe to cross the street, I say 'thank you Ainley for making my world a safer place'."

"There are so many things that aren't right and you don't know where to begin. There is so much that needs to be addressed – pick your focus... look for other people who are similarly situated. That is the most rewarding thing – to have colleagues who care about the same things."
Ainley Bridgeman

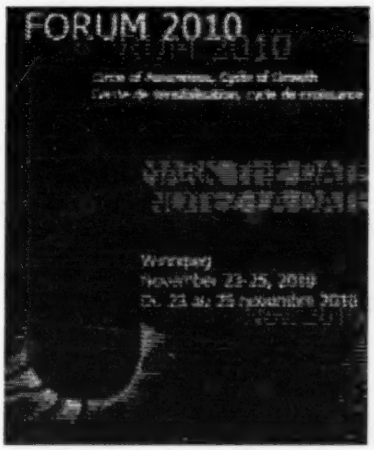
Celebrating International Day of Persons with Disabilities

Thursday, December 2nd the Canadian Centre on Disability Studies (CCDS) will host a celebration in honour of the United Nations International Day of Persons with Disabilities.

The event will provide an opportunity to share the contribution of community based research. It will feature Paralympian Viviane Forest and entertainer Alan Shain, as well as live music, hors d'oeuvres and refreshments and the opportunity to meet old friends and make new ones.

Net proceeds from this event will benefit the Canadian Centre on Disability Studies Small Grants Program.

Tickets are available for $50, partial tax receipts are available. For tickets to this event, please contact Allen Mankewich at (204) 287-8411 ext. 22, or communications@disabilitystudies.ca. For more information: **www.disabilitystudies.ca/celebration**



The Canadian Human Rights Commission is pleased to announce it is holding its fourth Discrimination Prevention Forum in Winnipeg, November 23-24, 2010 with a complimentary session on November 25, 2010.

Purpose of the Forum
The Discrimination Prevention Forum is an avenue for human rights stakeholders to share best practices on emerging issues of discrimination in the workplace. It gathers hundreds of leaders and decision makers from government, private sector and non profit organizations across Canada.

Registration www.csps-efpc.gc.ca/dpf-fpd/index-eng.asp

Chairperson asks Government to reconsider its decision

Jerry Woods, Chairperson of the Manitoba Human Rights Board of Commissioners has sent a letter to the Honourable Tony Clement, Minister of Industry urging the Canadian Government to reconsider its decision to remove the mandatory requirement for completion of the long-form census questionnaire.

"I have asked the Government of Canada to reconsider, and keep the long-form census survey mandatory so that detailed and representative information about life in Canada continues to be available," he says.

In the letter, Mr. Woods explains that the data from the mandatory long-form census has helped to measure progress in attaining human rights equality goals. He also voices the concern that a voluntary long-form census will fail to gather information that is as complete or as representative of Canadians.

Along with other provincial and territorial human rights commissions, The Manitoba Human Rights Commission has collaborated with the Canadian Human Rights Commission in an initiative that seeks to improve the availability of data to measure equality of opportunity in Canada.

"We believe that comprehensive and reliable data strengthens our ability to analyze and measure our progress towards meeting our obligations under human rights legislation, our Charter and the international treaties that Canada has entered into," writes Mr. Woods.

In the letter Mr. Woods also explains that data measuring participation in education, health, employment, housing and other areas of Canadian life is particularly critical in supporting the realization of the human rights of Canadians that have faced discrimination and disadvantage, including First Nations peoples, members of racialized communities, persons with disabilities, women and other groups.